

# **Texas Crab Meat Rules**



**Published by  
Texas Department of Health  
Seafood Safety Division  
1100 West 49th Street  
Austin, Texas 78756**

TEXAS DEPARTMENT OF HEALTH  
BUREAU OF FOOD AND DRUG SAFETY  
SEAFOOD SAFETY DIVISION

Statutory Authority: Section 436.112 Rules  
of the Texas Health and Safety Code

Effective : March 1, 1998

## TABLE OF CONTENTS

<u>Sections</u>	<u>Page</u>
241.1 Definitions	1
241.2 Sources of Crab Meat	3
241.3 Licensing Requirements	4
241.4 General HACCP Requirements	11
241.5 General Sanitation Requirements	17
241.6 Crab Meat Identification	18
241.7 Crab Meat Records	20

## CRAB MEAT

**Section 241.1. Definitions.** The following words and terms, when used in these sections, shall have the following meaning unless the context clearly indicates otherwise.

**Authorized agent** - An employee of the Texas Department of Health who is designated by the Commissioner to enforce provisions of these sections.

**Commissioner** - The commissioner of health for the State of Texas.

**Compliance schedule** - A written schedule that provides a correction time period to eliminate key and other deficiencies.

**Container** - The physical material in contact with or immediately surrounding the crab meat that confines it into a single unit.

**Cook lot** - All of the crab meat product cooked in one day at one location.

**Crab meat** - The edible meat of steamed or cooked crabs that has not been processed other than by picking, packing, and chilling.

**Critical Control Point (CCP)** - A point, step or procedure in a food process at which control can be applied, and a food safety hazard can as a result be prevented, eliminated or reduced to acceptable levels.

**Critical deficiency** - A condition or practice which:

(A) results in the production of a product that is unwholesome; or

(B) presents a threat to the health or safety of the consumer.

**Critical limit** - The maximum or minimum value to which a physical, biological, or chemical parameter must be controlled at a critical control point to prevent, eliminate or reduce to an acceptable level the occurrence of the identified food safety hazard.

**Dealer** - A person to whom a license is issued for the activities of crab meat picking and packing or crab meat picking, packing, and pasteurization.

**Department** - The Texas Department of Health, 1100 West 49th Street, Austin, Texas, 78756, or its successor state agency, having the responsibility for the enforcement of laws concerning the safety of the food supply including regulating the processing, picking, packing,

pasteurization, and/or shipping of crab meat.

Food safety hazard - Any biological, chemical, or physical property that may cause a food to be unsafe for human consumption.

HACCP - Hazard Analysis Critical Control Point, a systematic, science-based approach used in food production as a means to assure food safety. The concept is built upon the seven principles identified by the National Advisory Committee on Microbiological Criteria for Foods (1992).

HACCP Plan - A written document that delineates the formal procedures that a dealer follows to implement the HACCP requirements set forth in Code of Federal Regulations, Title 21, section 123.6.

Key deficiency - A condition or practice which may result in adulterated, decomposed, misbranded or unwholesome product.

Label - Any written, printed or graphic matter affixed to or appearing upon any package containing crab meat.

License - A numbered document issued by the department which authorizes a dealer to process crab meat for sale.

License number - The unique identification number issued by the department to each dealer for each location. Each license number shall consist of a one to five digit Arabic number preceded by the two letter State abbreviation and followed by a one or two letter abbreviation for the type of activity or activities the dealer is qualified to perform in accordance with the following terms:

(A) crab meat picking and packing (C); or

(B) crab meat picking, packing, and pasteurization (CP).

Licensed location - A plant or place of business which has been inspected by the Seafood Safety Division and for which a crab meat processing license has been issued.

Other deficiency - A condition or practice that is not defined as critical or key, but is of a public health significance and, if left uncorrected, could result in a more serious violation.

Packing - The placing of crab meat into containers for off-premise consumption.

Pasteurization plant - A place where crab meat is heat-treated, without complete sterilization, to improve keeping qualities of the meat.

Pasteurized crab meat - The meat of crabs cooked, picked, and packed for off-premise consumption which has been heat treated, without complete sterilization, to improve keeping qualities of the meat.

Person - Any individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind, government or governmental subdivision or agency, partnership, association, corporation or other legal entity.

Pick(ing) - The removal of crab meat from the crab shell.

Picking plant - A place where crabs are cooked and edible meat is picked therefrom.

Principal display panel - The part of a label that is most likely to be displayed, presented, shown or examined under customary conditions of retail sale.

Sanitation control record - Records that document the monitoring of sanitation practices and conditions.

Sewer - An artificial, usually subterranean, conduit to carry off sewage and/or surface water.

SSD - The Seafood Safety Division of the Texas Department of Health to which responsibility for regulating the processing, picking, packing, pasteurization, and/or shipping of crab meat is delegated.

## **Section 241.2. Sources of Crab Meat.**

(a) No crab meat may be offered for sale for food in the State of Texas unless the crab meat has been processed and packaged in compliance with sections 241.1-241.7 of this title (relating to Texas Crab Meat). If obtained from sources outside of the state, the crab meat shall originate from a source acceptable to the department. These sources must be licensed and inspected by the appropriate state or other government authority.

(b) For sources outside the United States to be approved, documentation must be provided by a foreign governmental authority(s) that verifies the licensing and inspection and states that the processes involved comply with these sections, including the HACCP requirements.

(c) Crab meat from sources other than those outlined in this section shall not be sold, offered for sale, or held for sale.

**Section 241.3. Licensing Requirements.**

(a) No person shall engage in any activity requiring a license under sections 241.1-241.7 of this title (relating to Texas Crab Meat) without having applied for and obtained an annual numbered license pertaining to the particular activity from the department. No license will be issued without a HACCP plan in accordance with section 241.4 of this title (relating to General HACCP Requirements) which is acceptable to the SSD.

**(b) Dealer Licensing.**

(1) Picker-Packer. Any person who cooks crabs, and picks and packs the crab meat shall be licensed as a picker-packer.

(2) Pasteurizer. Any person who cooks crabs, picks, packs, and pasteurizes the crab meat, or pasteurizes crab meat picked and packed in another location shall be licensed as a pasteurizer.

(c) Prior to beginning construction of a new crab meat plant, or major remodeling of an existing crab meat plant (which includes, but is not limited to: any process new to that particular plant; any change of product flow; or any enlarging of the plant structure) complete, legible plans showing the floor plan of the building, with dimensions drawn to scale, location of equipment, doors, floor drains, etc., and written, complete operational procedures for all phases of the activity, including flow of the product, shall be submitted to the department, SSD, for review and approval. Additional plans of the entire premises may be required showing all structures, as well as, all water wells and septic systems with related distances and a statement of specifications as to type, sizes, design, date installed, etc. Plans shall be submitted no less than 30 days prior to initiating a new process or beginning construction. No operations shall be conducted while any inside plant construction or any other construction which has the potential to contaminate the product is occurring.

(d) A legibly written or typed application on forms provided by the department must be filed with the SSD each year.

(e) If the applicant proposes to use a date other than an open date, the application for a license must be accompanied by a written statement of the procedure the applicant will use to determine the date to be included on the label for crab meat packed or pasteurized and shipped from the location listed in the application.

(f) A license and unique number shall be issued by the commissioner only after an inspection of the plant by an authorized agent has revealed that the plant and practices are in compliance with these sections. A license and unique number shall be issued to a dealer for each location at which crab meat operations are to be conducted and a license is required.

(g) The inspection of a previously licensed plant which has exhibited operational problems or violations of operational requirements of these sections or had a license revoked shall not be conducted until written, complete operational procedures for all phases of the activity, including flow of the product, are submitted to the SSD for review and approval. An application may be rejected and a license denied based on a history of failure to comply with the requirements of these sections.

(h) Crab meat operations by the dealer shall not begin until the commissioner has issued the Crab Meat Processing License for that location. Each license shall expire automatically at 11:59 p.m. the last day of February following the date of issue. Licenses shall not be transferable.

(i) After a license is issued, unannounced inspections may be conducted at any time the SSD has reason to believe the business may be in operation or that crab meat may be stored on the premises and at such frequency as may be necessary to assure that adequate operational and sanitary conditions are maintained. All crab meat at a licensed location shall be the responsibility of the dealer at that location for the purposes of these sections. A copy of the completed inspection form listing written descriptions of the violations observed along with any necessary explanation shall be provided by an authorized agent of the department to the most responsible individual present at the firm at the conclusion of the inspection. Any violations of the same requirement found on a consecutive inspection may result in license suspension in accordance with subsection (j) of this section.

(1) When a routine inspection detects a critical deficiency the violation shall be corrected during that inspection or the plant must cease production affected by the violation. If production affected by the violation does not voluntarily cease, all crab meat handled or processed while the violation exists or existed shall be detained.

(2) When a routine inspection detects four or more key deficiencies, the dealer shall establish a correction schedule acceptable to the SSD. The follow-up inspection shall determine if the violations have been corrected or are being corrected in accordance with the scheduled correction dates noted on the previous inspection report.

(3) When a routine inspection detects other deficiencies or three or less key deficiencies, the deficiencies shall be corrected prior to the next routine inspection.

(j) The SSD may initiate procedures to suspend or to revoke a license or assess administrative penalties as follows:

(1) The procedures shall be in accordance with the Texas Health and Safety Code, section 436.114; the provisions of the Government Code, Chapter 2001, Administrative Procedure Act; and the department formal hearing procedures in Chapter 1 of this title (relating to the Board of Health).



(2) The grounds for suspension or revocation or assessment of administrative penalties may be any one of the following:

(A) inspection results indicate unsatisfactory conditions in the plant or the existence of a public health hazard;

(B) the license holder or representative refuses to allow an inspection or otherwise interferes with the authorized department's agent in the performance of his or her duties; or

(C) the license holder does not have a HACCP plan, has a HACCP plan unacceptable to the SSD, or fails to comply with a HACCP plan which is acceptable to the SSD.

(k) A dealer whose license has been suspended may not process any crab meat for a period determined by the commissioner.

(l) A dealer whose license has been suspended may not process any crab meat until the SSD is satisfied that all necessary corrections have been made. A suspension will not be rescinded until an inspection establishes that the firm has corrected all violations which resulted in the suspension and is in full compliance with all applicable criteria of these sections.

(m) A license may be revoked for any of the reasons outlined in subsection (j) of this section or for either of the following: if the violations initiating a suspension fail to be corrected within the time frame established, or if a history of repeated suspensions exists. A dealer whose license has been revoked shall not be issued a new license for 180 days or before the next licensing period, whichever is longer, after the date of signing of the final order of revocation. When the department contemplates suspension or revocation, the license holder shall be afforded the opportunity for a hearing. Notice of the contemplated action shall be given to the license holder by personal service or certified mail, return receipt requested. If no request for a hearing is received by the director of the SSD, within 14 days of personal service or the date of receipt of the notice by the dealer, the allegations contained in the notice are admitted as true, and the department may proceed to take the action set out in the notice.

(n) When the department determines that administrative penalties are appropriate, proposals for assessment of and hearings on administrative penalties shall be made in accordance with the Texas Health and Safety Code, section 436.034; the provisions of the Government Code, Chapter 2001, Administrative Procedure Act; and the department formal hearing procedures in Chapter 1 of this title (relating to the Board of Health). When the department contemplates administrative penalties, the license holder shall be afforded the opportunity for a hearing. Notice of the contemplated action shall be given to the license holder by personal service or certified mail, return receipt requested. If no request for a hearing is received by the director of the SSD, within 14 days of personal service or the date of receipt of the notice by the dealer, the allegations contained in the notice are admitted as true, and the department may proceed to take the action set

out in the notice.

(o) The seriousness of violations shall be categorized by one of the following severity levels. The examples following the severity levels are neither exhaustive nor controlling. They reflect only the seriousness of the violation and not the intent of the violator, the history of the violator, the amount necessary to deter future violations, or efforts to correct the violation.

(1) Severity Level I - violations that are of minor public health significance. The following are examples of severity level I violations (other deficiency):

- (A) failure to keep premises clean and have adequate drainage;
- (B) failure to clean/maintain floors, walls, or ceilings;
- (C) failure to provide adequate and properly shielded lighting;
- (D) failure to post hand washing signs at hand washing stations; and
- (E) failure to restrict pickers from the packing room and all unauthorized persons from processing areas when operating.

(2) Severity Level II - Violations that are of more than minor significance, or if left uncorrected, could result in more serious violations. The following are examples of severity level II violations (other deficiency):

- (A) failure to provide or use storage for employee clothing or personal articles;
- (B) failure to have clean, maintained, adequately drained floor;
- (C) failure to provide adequate heating/cooling/ventilation;
- (D) failure to provide adequate quantity of water to facility;
- (E) failure to provide hand washing stations with soap, sanitary towels, and/or waste receptacles with proper lids;
- (F) failure to properly construct, locate, maintain, and/or keep clean all non-food contact surfaces;
- (G) failure to provide detergents, approved sanitizers, brushes, and/or test kit to properly clean and sanitize the facility;

- (H) failure to properly store and/or keep clean single service containers;
- (I) failure to maintain frozen crab meat at 0 degrees Fahrenheit or less;
- (J) failure to require employees to wear clean outer garments, impermeable gloves/finger cots; to store properly; to wear proper hair restraints;
- (K) failure to promptly remove crab scrap or other accumulation; and
- (L) failure to meet code and/or install water disposal correctly or have adequate drainage where operations discharge water.

(3) Severity Level III - Violations that are significant and which, if not corrected, could threaten public health. The following are examples of severity level III violations (key deficiency):

- (A) failure to exclude insects, rodents, vermin, or any other animals;
- (B) failure to provide hot and cold water at each sink/lavatory;
- (C) failure to protect plumbing from backflow, backsiphonage, and/or cross contamination;
- (D) failure to have toilets clean, repaired, and/or have self-closing doors;
- (E) failure to properly use, store, separate, and/or label poisonous/toxic materials;
- (F) failure to properly construct, locate, clean, and/or maintain food contact surfaces;
- (G) failure to provide a temperature measuring device in each refrigeration unit;
- (H) failure of employees to wash/sanitize their hands and/or exhibit good hygienic practices;
- (I) failure to restrict any personnel with infections that may be transmitted through the crab meat from participating in crab meat operations; and
- (J) failure to maintain complete and accurate records.

(4) Severity Level IV - Violations that have a significant adverse impact on public

health. The following are examples of severity level IV violations (key deficiency):

- (A) failure to separate operations by partition, space, or time;
- (B) failure to provide adequate refrigeration units;
- (C) failure to clean and sanitize food contact surfaces effectively and within required time frame;
- (D) failure to label crab meat or properly complete label;
- (E) failure to protect crab meat from contamination;
- (F) failure to pack into containers with a valid license number for that location; comply with label requirements; to use proper date;
- (G) failure to promptly pick, pack, pasteurize, and/or protect crab meat; and
- (H) failure to have responsible, effective, or designated person as supervisor.

(5) Severity Level V - Violations that are most significant and create an imminent hazard to public health. The following are examples of severity level V violations (critical deficiency):

- (A) failure to cease operations when location/plant is flooded;
- (B) failure to protect the water supply from contamination;
- (C) failure to install and/or maintain adequate sewage disposal system;
- (D) failure to maintain crab meat at the proper temperature;
- (E) failure to keep crab meat from becoming contaminated;
- (F) failure to cool packed crab meat promptly;
- (G) failure to maintain packed crab meat at 40 degrees Fahrenheit or less during storage; and
- (H) failure to provide sanitary ice and/or properly protect it.

(p) The department may impose differing levels of penalties for different severity level

violations.

(1) Administrative penalties shall be imposed for Severity Level III, IV and V violations. Administrative penalties may be assessed for Severity Level I and II violations when they are combined with those of higher severity level(s) or for repeated violations which could have been prevented by corrective action and for which the dealer did not take effective corrective action.

(2) Tables IA and IB show the base administrative penalties and the percentage of base amounts based on severity level of the violation.

#### BASE ADMINISTRATIVE PENALTIES

Table IA - Base Amounts

Type of User	Amount
All license holders	\$10,000
Other persons not certified	\$25,000

Table IB - Percentage of Base Amounts Based on Severity Level of Violation

Severity Level	Percent of Amount Listed in Table IA
I (other)-----	5
II (other)-----	15
III (key)-----	50
IV (key)-----	80
V (critical)-----	100

(3) Adjustments to the values in Tables IA and IB in paragraph (2) of this subsection may be made for the presence or absence of the following factors:

(A) prompt identification and reporting;

- (B) corrective action to prevent recurrence;
- (C) compliance history;
- (D) prior notice of similar event; and
- (E) multiple occurrences.

(4) The penalty may be in an amount not to exceed \$25,000 a day for each violation for a person who violates the Health and Safety Code, Chapter 436, or a rule in this chapter (relating to Texas Crab Meat) or order of the department. Each day a violation continues may be considered a separate violation for purposes of penalty assessment.

(q) The department may offer a license holder the opportunity to attend a settlement conference to discuss with the department, or a division thereof, methods and schedules for correcting the violation(s) or to show compliance with applicable provisions of the Health and Safety Code, Chapter 436, the rules in this chapter (relating to Texas Crab Meat), license conditions, and any orders of the department issued thereunder, or discuss both such topics. The Office of General Counsel may conduct settlement negotiations.

(r) Notices of any settlement conference shall be sent by personal service or certified mail, return receipt requested. A settlement conference is not a prerequisite for the action to be taken under subsections (n), (o), or (p) of this section.

(s) By acceptance of a license, the holder agrees to save, hold harmless, and indemnify the State of Texas, the department, and its employees against any and all liability, claims or losses for property damage or personal injury which result in whole or in part from the license holder's activities. The State of Texas shall not be held liable for financial losses incurred by the plant supervisors or plant owners due to failure of crab meat activity, condemnation of crab meat, loss of crab meat, or other reasons.

#### **Section 241.4. General HACCP Requirements.**

(a) Every dealer shall conduct a hazard analysis to determine the food safety hazards that are reasonably likely to occur for each kind of crab meat product processed by that dealer and to identify the preventive measures that the dealer can apply to control those hazards. Such food safety hazards can be introduced both within and outside the processing plant environment, including food safety hazards that can occur before, during, and after harvest. A food safety hazard that is reasonably likely to occur is one for which a prudent dealer would establish controls because experience, illness data, scientific reports, or other information provide a basis to conclude that there is a reasonable possibility that it will occur in the particular type of crab meat product being processed in the absence of those controls.

(b) Every dealer shall have, implement, and comply with a written HACCP plan which is acceptable to the SSD. A copy of the plan shall be provided to the SSD upon request. A HACCP plan shall be specific to:

(1) each location where crab meat products are processed by that dealer; and

(2) each kind of crab meat product processed by the dealer. The plan may group kinds of crab meat products together, or group kinds of production methods together, if the food safety hazard, critical control points, critical limits, and procedures required to be identified and performed in this section are identical for all crab meat products so grouped or for all production methods so grouped.

(c) The HACCP plan shall, at a minimum:

(1) list the food safety hazards that are reasonably likely to occur, as identified in accordance with subsection (a) of this section and that must be controlled for each crab meat product. Consideration should be given to whether any food safety hazards are reasonably likely to occur as a result of the following:

(A) natural toxins;

(B) microbiological contamination;

(C) chemical contamination;

(D) pesticides;

(E) drug residues;

(F) unapproved use of direct or indirect food or color additives; and

(G) physical hazards;

(2) list the critical control points for each of the identified food safety hazards, including as appropriate:

(A) critical control points designed to control food safety hazards introduced outside the processing plant environment, including food safety hazards that occur before, during, and after harvest; and

(B) critical control points designed to control food safety hazards that could be introduced in the processing plant environment;

- (3) list the critical limits that must be met at each of the critical control points;
- (4) list the procedures, and frequency thereof, that will be used to monitor each of the critical control points to ensure compliance with the critical limits;
- (5) include any corrective action plans that have been developed in accordance with this section to be followed in response to deviations from critical limits at critical control points;
- (6) list the verification procedures, and frequency thereof, that the dealer will use in accordance with this section; and
- (7) provide for a record keeping system that documents the monitoring of critical control points. The records shall contain the actual values and observations obtained during monitoring.

(d) The HACCP plan shall be signed and dated by the most responsible individual on site at the processing facility or by a higher level official of the dealer:

- (1) upon initial acceptance;
- (2) upon any modification; and
- (3) upon verification of the plan in accordance with subsection (g)(1)(A) of this section.

(e) Sanitation controls may be included in the HACCP plan. However, to the extent that they are monitored in accordance with section 241.5 of this title (relating to General Sanitation Requirements) they need not be included in the HACCP plan, and vice versa.

(f) Corrective Actions.

(1) Whenever a deviation from a critical limit occurs, a dealer shall take corrective action either by:

(A) following a corrective action plan that is appropriate for the particular deviation; or

(B) following the procedures in subsection (f) of this section.

(2) Dealers may develop written corrective action plans, which become part of their HACCP plans in accordance with subsection (c)(5) of this section, by which they predetermine the corrective actions that they will take whenever there is a deviation from a critical limit. A corrective action plan that is appropriate for a particular deviation is one that describes the steps



to be taken and assigns responsibility for taking those steps, to ensure that:

(A) no product enters commerce that is either injurious to health or is otherwise adulterated as a result of the deviation; and

(B) the cause of the deviation is corrected.

(3) When a deviation from a critical limit occurs and the dealer does not have a corrective action plan that is appropriate for that deviation, the dealer shall:

(A) segregate and hold the affected product, at least until the requirements of subsection (f)(3)(B) and (C) of this section are met;

(B) perform or obtain a review to determine the acceptability of the affected product for distribution. The review shall be performed by an individual or individuals who have adequate training or experience to perform such a review. Adequate training may or may not include training in accordance with this section;

(C) take corrective action, when necessary, with respect to the affected product to ensure that no product enters commerce that is either injurious to health or is otherwise adulterated as a result of the deviation;

(D) take corrective action, when necessary, to correct the cause of the deviation; and

(E) perform or obtain timely reassessment by an individual or individuals who have been trained in accordance with this section to determine whether the HACCP plan needs to be modified to reduce the risk of recurrence of the deviation, and modify the HACCP plan as necessary.

(4) All corrective actions taken in accordance with this section shall be fully documented in records that are subject to verification in accordance with subsection (g) of this section and the record keeping requirements of subsection (h) of this section.

(g) Verification.

(1) Every dealer shall verify that the HACCP plan is adequate to control food safety hazards that are reasonably likely to occur, and that the plan is being effectively implemented. Verification shall include, at a minimum:

(A) a reassessment of the adequacy of the HACCP plan whenever any changes occur that could affect the hazard analysis or alter the HACCP plan in any way or at least annually. The reassessment shall be performed by an individual or individuals who have been

trained in accordance with subsection (i) of this section. The HACCP plan shall be modified immediately whenever a reassessment reveals that the plan is no longer adequate to fully meet the requirements of subsection (c) of this section. These changes may include:

- (i) raw materials or source of raw materials;
- (ii) product formulation;
- (iii) processing methods or systems;
- (iv) finished product distribution systems; or
- (v) the intended use or consumers of the finished product;

(B) ongoing verification activities including:

(i) a review of any consumer complaints that have been received by the dealer to determine whether they relate to the performance of critical control points or reveal the existence of unidentified critical control points;

(ii) the calibration of process-monitoring instruments; and

(iii) at the option of the dealer, the performing of periodic end-product or in-process testing; and

(C) a review, including signing and dating, by an individual who has been trained in accordance with subsection (i) of this section, of the records that document:

(i) the monitoring of critical control points. The purpose of this review shall be, at a minimum, to ensure that the records are complete and to verify that they document values that are within the critical limits. This review shall occur within one week of the day that the records are made;

(ii) the taking of corrective actions. The purpose of this review shall be, at a minimum, to ensure that the records are complete and to verify that appropriate corrective actions were taken in accordance with subsection (f) of this section. This review shall occur within one week of the day that the records are made; and

(iii) the calibrating of any process monitoring instruments used at critical control points and the performing of any periodic end-product or in-process testing that is part of the dealer's verification activities. The purpose of these reviews shall be, at a minimum, to ensure that the records are complete, and that these activities occurred in accordance with the dealer's written procedures. These reviews shall occur within a reasonable time period after the

records are made.

(2) Dealers shall immediately follow the procedures in subsection (f) of this section, whenever any verification procedure, including the review of a consumer complaint, reveals the need to take a corrective action.

(3) The calibration of process-monitoring instruments, and the performing of any periodic end-product and in-process testing, in accordance with subsection (g)(1)(B)(ii) and (iii) of this section shall be documented in records that are subject to the record keeping requirements of subsection (h) of this section.

(h) Records.

(1) All records required shall include:

(A) the name and location of the dealer;

(B) the date and time of the activity that the record reflects;

(C) the signature or initials of the person performing the operation; and

(D) where appropriate, the identity of the product and the production code, if any. Processing and other information shall be entered on records at the time that it is observed.

(2) All records required shall be retained at the processing facility for at least one year after the date they were prepared in the case of refrigerated products and for at least two years after the date they were prepared in the case of frozen products.

(3) Records that relate to the general adequacy of equipment or processes being used by a dealer, including the results of scientific studies and evaluations, shall be retained at the processing facility for at least two years after their applicability to the product being produced at the facility.

(4) If the processing facility is closed for a prolonged period between seasonal operations, or if record storage capacity is limited on a processing vessel or at a remote processing site, the records may be transferred to some other reasonably accessible location at the end of the seasonal operations, but shall be immediately returned for official review upon request.

(5) All records required by subsection (h) of this section and HACCP plans required by subsection (b) and (c) of this section shall be available for official review and copying at reasonable times.

(6) The maintenance of records on computers is acceptable, provided that

appropriate controls are implemented to ensure the integrity of the electronic data and electronic signatures.

(i) Training.

(1) At a minimum, the following functions shall be performed by an individual who has successfully completed training in the application of HACCP principles to crab meat processing at least equivalent to that received under standardized curriculum recognized as adequate by the FDA or who is otherwise qualified through job experience to perform these functions:

(A) developing a HACCP plan, which could include adapting a model or generic-type HACCP plan that is appropriate for a specific dealer, in order to meet the requirements of subsection (c) of this section;

(B) reassessing and modifying the HACCP plan in accordance with the corrective action procedures specified in subsection (f)(3)(E) of this section, and the HACCP plan in accordance with the verification activities specified in subsection (g)(1)(B) of this section; and

(C) performing the record review required by subsection (g)(1)(C) of this section.

(2) Job experience will qualify an individual to perform these functions if it has provided knowledge at least equivalent to that provided through the standardized curriculum as determined by the SSD.

(3) The trained individual need not be an employee of the dealer.

**Section 241.5. General Sanitation Requirements.**

(a) Each dealer shall have written standard sanitation procedures. A copy of the procedures shall be provided, upon request, to the SSD. Each dealer shall monitor conditions and practices that are both appropriate to the plant and the food being processed with sufficient frequency to ensure, at a minimum, conformance with the requirements specified in section 229.183(a)(2) of this title (relating to Minimum Standards for Licensure) concerning current good manufacturing practice in manufacturing, processing, packing, or holding human food. Copies are indexed and filed in the offices of the SSD, and are available for inspection during normal working hours. The requirements specified in section 229.183(a)(2) of this title relate to the following sanitation items:

(1) safety of water for processing and ice production;

- (2) condition and cleanliness of food contact surfaces;
- (3) prevention of cross contamination;
- (4) maintenance of hand washing, hand sanitizing and toilet facilities;
- (5) protection from adulterants;
- (6) proper labeling, storage, use of toxic compounds;
- (7) control of employees with adverse health conditions; and
- (8) exclusion of pests.

(b) Each dealer shall maintain sanitation control records that, at a minimum, document the monitoring and corrections prescribed by subsection (a) of this section. These records are subject to the requirements of section 241.4(h) of this title (relating to General HACCP Requirements).

(c) Sanitation controls may be included in the HACCP plan, required by section 241.4(b) of this title. However, to the extent that they are monitored in accordance with subsection (a) of this section, they need not be included in the HACCP plan, and vice versa.

#### **Section 241.6. Crab Meat Identification.**

(a) All containers of fresh or fresh frozen crab meat shall have permanently recorded on the principal display panel, so as to be easily visible, the following information:

- (1) the dealer's or distributor's name;
- (2) the dealers's or distributor's address, including at least the city and state;
- (3) the license number for the licensed location where the crab meat was packed or pasteurized; and
- (4) where the name and address of the distributor is used, it shall be preceded by the words PACKED FOR or DISTRIBUTED BY or followed by the word DISTRIBUTOR.

(b) The principal display panel on each container of fresh or fresh frozen crab meat shall contain a date. The date shall be the date of packing unless a SELL BY date is established and used in accordance with subsection (c) of this section.

(c) The date shall be as follows:

(1) if it is an open date it shall be the calendar date as follows: the abbreviation for the month, the numerical day of the month, and the year;

(2) if it is a code date, the proposed method must be submitted in writing to the SSD and approved by the SSD before it is used; and

(3) if it is a SELL BY date, it shall be based on the date the crab meat was packed and the proposed method must be submitted in writing to the SSD and approved by the SSD before it is used.

(d) The presence of any chemical, if any is allowed, and the net weight of the contents shall be permanently recorded on the container. The proper designation of the contents of the container (lump, special, claw, finger, etc.) shall be required and may be recorded either on the container sidewall or the lid.

(e) Frozen crab meat shall be labeled as FROZEN, INDIVIDUALLY QUICK FROZEN, or IQF, in print of similar prominence adjacent to the words CRAB MEAT. Containers shall be marked as frozen prior to freezing.

(f) All required information shall be provided in a legible and indelible form and shall be either:

(1) on the sidewall of the container unless the cover becomes an integral part of the container during a sealing process; or

(2) sealed into an area where it remains legible and visible as the principal display panel until all product from the container has been used or disposed of.

(g) Adhesive labels shall be durable and waterproof and shall not be used unless prior approval from the SSD is obtained. The request for adhesive labels must be submitted in writing.

(h) Use of rubber stamps is not allowed except for dating.

(i) All labeling is subject to review and approval by the SSD.

(j) Reusable containers for in-plant use during picking and packing are exempt from labeling requirements. These containers may be used only for temporary holding of crab meat during picking and packing activities. Crab meat may not be stored in unlabeled containers.

(k) The label on pasteurized crab meat shall meet all the requirements established for fresh or fresh frozen crab meat in this section.

(l) The label on pasteurized crab meat shall clearly identify the contents of the container

as pasteurized crab meat. Where the term CRAB MEAT (or its equivalent) appears on the label of pasteurized crab meat, the word PASTEURIZED shall be used in conjunction with it and in print of similar prominence.

(m) Each container of pasteurized crab meat shall be permanently and legibly identified with a code indicating the batch and the day of processing.

(n) The words PERISHABLE - KEEP UNDER REFRIGERATION or their equivalent shall be prominently displayed on the label of pasteurized crab meat.

(o) When packing and pasteurization of crab meat by one dealer for another is practiced, the label shall clearly state the license number of the packer/pasteurizer.

(p) When crab meat is packed in one licensed crab meat picking plant and pasteurized in another licensed crab meat pasteurization plant, the label shall clearly state the name and license number of both dealers.

#### **Section 241.7. Crab Meat Records.**

(a) Complete, accurate, and legible records in a form approved by the SSD shall be maintained by each dealer. The records shall be sufficient to document the dates of purchases of live crabs and the dates of purchases or shipments of crab meat so that a container of crab meat can be traced to the specific cook lot in which it was processed.

(b) Records covering purchases of live crabs and shipments of fresh crab meat shall be retained for a minimum of one year. Records covering purchases of live crabs and shipments of pasteurized or frozen crab meat shall be retained for a minimum of two years, or for a period of time that exceeds the shelf life of the product if that is longer than two years.

(c) Records shall be made available for inspection upon verbal request of any authorized agent of the department at any reasonable time.

(d) All brand names or trade names used on packages or containers holding crab meat shall be registered with the SSD prior to being used.